

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Dr. Stephen Hefner,)	Civil Action Number:
)	
Plaintiff,)	[Civil Action Number: 2021-CP-32-03699)
)	[Lexington County Court of Common Pleas]
v.)	
)	
)	3:23-cv-02156-MGL
School District Five of Lexington and)	
Richland Counties, Kenneth Loveless)	
individually and his official capacity,)	
Catherine Huddle individually and in her)	
official capacity, Jan Hammond)	NOTICE OF REMOVAL
individually and her official capacity,)	
and Jaramillo Accounting Group, LLC,)	
)	
Defendants.)	
)	

Pursuant to 28 U.S.C. § 1446, Defendants Kenneth Loveless, Catherine Huddle, and Jan Hammond hereby invoke the jurisdiction of the United States District Court for the District of South Carolina and state the following grounds for removal:

1) The above-captioned action was brought in the Court of Common Pleas, County of Lexington. The Plaintiff brought the current claims in this action, in part, pursuant to 42 U.S.C. § 1983 alleging violation of Plaintiff's First Amendment rights. The Plaintiff has also asserted state law causes of action for alleged civil conspiracy, abuse of process, malicious prosecution, defamation *per se*, and violation of the South Carolina Unfair Trade Practices Act, South Carolina Code Ann. § 1-13-10, *et seq.*

2) Upon information and belief, at the time of the commencement of the action and at all times since then, Plaintiff is a citizen and resident of the State of South Carolina.

3) Upon information and belief, the current claims in said action were commenced by the filing of an Amended Complaint, attached hereto, with which Defendant School District Five of Lexington and Richland Counties was served on March 22, 2023, Defendant Jaramillo Accounting Group, LLC was served on April 4, 2023, Defendants Catherine Huddle and Jan Hammond were served on April 19, 2023, and Defendant Kenneth Loveless was served on April 21, 2023, and that this Notice of Removal is filed pursuant to 28 U.S.C. § 1446 within thirty (30) days of the receipt by Defendant(s) of the pleading setting forth the demand upon which relief is claimed.

4) This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331. As previously indicated, the Plaintiff's Amended Complaint raises issues of federal statutory law. Consequently, this action may be removed pursuant to 28 U.S.C. § 1441.

5) The Defendants submit this Notice of Removal without waiving any defenses to the claims asserted by the Plaintiff on their behalf, including jurisdictional and service defenses, and without conceding that the Plaintiff has pled claims upon which relief can be granted.

6) The attorney of record for these Defendants signs this Notice of Removal pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, Defendants Kenneth Loveless, Catherine Huddle, and Jan Hammond pray that this Court accept this Notice of Removal which is being filed, that this Honorable Court take jurisdiction of the above-captioned case and that all further proceedings in said case in the Court

of Common Pleas, County of Lexington, State of South Carolina, bearing Civil Action Number 2021-CP-32-03699, be stayed.

DAVIDSON & WREN, P.A.

BY: s/ Michael B. Wren
Michael B. Wren, #7852
1611 Devonshire Drive, Second Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
T: 803-806-8222
E-Mail: mwren@dml-law.com

ATTORNEYS FOR DEFENDANTS SCHOOL
DISTRICT FIVE OF LEXINGTON AND
RICHLAND COUNTIES, KENNETH
LOVELESS, CATHERINE HUDDLE, AND JAN
HAMMOND

Columbia, South Carolina
May 19, 2023